

**MINUTES OF COUNCIL MEETING  
JANUARY 13, 2005  
6:30 P.M.**

The Murray City Council met in regular session on Thursday, January 13, 2005, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

**Council Members Present:** Lance Allison, Robert Billington, Rita Henley, Danny Hudspeth, Pete Lancaster, Doris Parham, Hugh Massey, Dan Miller, Jason Pittman, Pat Scott, Butch Sargent, and Bill Wells.

**Council Members Absent:** None.

**Staff Present:** Don Elias, Ken Claud, Clayton Hendricks, Thomas Clendenen, Ricky Stewart, J. L. Barnett, Philip Morris, Matt Mattingly, David Roberts, Dannetta Cossey, Gail Mullins, Don Rogers, Don Leet, Carol Roberts, Warren Hopkins, and Harla McClure.

Minutes of the council meeting held December 9, 2004, were presented for approval. **Ms. Parham moved, seconded by Mr. Lancaster,** to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

Mayor Rushing stated that Marteze Hammond was going to speak on the events that were to be held on Martin Luther King Day; however, he was unable to attend. Mayor Rushing stated the events would start at 5:30 p.m. at the Curris Center on the campus of Murray State University.

**Ordinance Number 2004-1364** an ordinance rezoning property located at 318 S. 9<sup>th</sup> Street from R-2 (single family residential) to PO (professional office) was presented to the council on a second reading. Said property is owned by Dan Miller. **Ms. Henley moved, seconded by Mr. Allison** to adopt said ordinance on the second reading.

With no discussion, Mayor Rushing called for the roll vote which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Sargent, Jason Pittman, Pete Lancaster, and Bill Wells.

**NAYS:** None.

Dr. Miller recused himself from voting.

Mayor Rushing declared Ordinance Number 2004-1364 adopted on the second reading and recorded in Ordinance Book 6, Page 105.

**Ordinance Number 2005-1365** an Ordinance to permit temporary off-site sale or display events of motor vehicles by a dealer was presented to the council for an emergency vote. Warren

Hopkins, city attorney, stated that this Ordinance requires an emergency reading because Murray State University is hosting the West Kentucky Boat and Outdoor Show on January 14<sup>th</sup> through the 15<sup>th</sup>. Pursuant to legislature passed, KRS 190.030(7) was amended to state that a City had to adopt an enabling ordinance allowing motor vehicle dealers the ability to display and/or sell their vehicles off-site. Without the passage of this Ordinance, the vendors would not have been allowed to have their vehicles at the show.

**Ms. Henley moved, seconded by Mr. Massey** to declare the reading and adoption of Ordinance Number 2005-1365 an emergency. With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared the reading of the Ordinance an emergency. **Mr. Lancaster moved, seconded by Ms. Henley** to adopt said Ordinance on the first reading. With no further discussion, Mayor Rushing called for the roll call vote as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2005-1365 adopted on the first reading and recorded in Ordinance Book Number 6, Page 107.

**Recommendation** from Murray Planning Commission authorizing the City Attorney to draft an ordinance annexing a 16.0294 acre tract of Fairfield Subdivision located on Robertson Road South and owned by Dale Campbell, D&D, Inc. was presented to the Council for approval. **Mr. Wells moved, seconded by Mr. Scott**, to authorize the City Attorney to draft said ordinance.

David Roberts, Director of Planning and Engineering, stated the property is on Robertson Road South between Woodgate Subdivision and Crossland Subdivision. It is a portion of a 38 acre tract of land; however, he is only requesting annexation for about half of the property. All utilities are currently available and no extensions are necessary. The intent of the property development is single family residential. Mr. Massey wanted to know why we are only annexing a portion of the property. Mr. Roberts stated the recommendation actually came from the Planning and Engineering staff. The City has so much development at this time in that area, and it is all going into our existing sanitary sewer interceptor line and we were not sure about the capacity of the 12 inch line. Mr. Elias explained at the Public Works committee meeting that

there is a southwest interceptor line that we built several years ago and it is a 15 inch line going into a 12 inch line and the staff wanted to ensure that the line could handle the capacity of the development in this area. We told Mr. Campbell he would only be approved for a portion of his subdivision. The total development will be 65 lots; however, he will only be developing 16 lots at the current time until a study is done to see if it is feasible for the additional property to be annexed.

With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

**Municipal Order 001-2005** appointing City Officials to the Committees, Boards, and Commissions was presented to the council. **Ms. Parham moved, seconded by Ms. Henley** to approve said Municipal Order. With no discussion, Mayor Rushing called for the voice vote, which was unanimous in favor of the motion.

**Municipal order 002-2005** reappointing Don Leet, Joe Dick, Howard Koenen, A L Hough (AARP Representative) and Rita Henley (Council Representative) to the Senior Citizens Board for a one year term to expire January 1, 2006, was presented to the Council for approval. **Mr. Wells moved, seconded by Mr. Massey** to approve said Municipal Order. With no discussion, Mayor Rushing called for the voice vote, which was unanimous in favor of the motion.

Mayor Rushing recognized Lance Allison, Chair of the Public Works Committee, and requested he provide a report. Mr. Allison stated the committee met to discuss the following bids for Robertson Road sewer extension.

<b>ROBERTSON ROAD NORTH SEWER LINE EXTENSION DECEMBER 16, 2004 1:00 P.M.</b>	
<b>BIDDER</b>	<b>BID</b>
<b>Murtco</b>	<b>\$172,753.80</b>
<b>Mott Excavating, Inc.</b>	<b>\$176,891.72</b>
<b>API Contractors</b>	<b>\$194,830.00</b>
<b>Haydon Brothers Contracting</b>	<b>\$195,598.50</b>

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<b>Gadcon, Inc.</b>	<b>\$204,425.20</b>
<b>Lakeshore Engineering Services</b>	<b>\$274,159.00</b>
<b>Burgess &amp; Associates</b>	<b>\$324,130.00</b>

**Mr. Allison moved, as unanimously recommended by the Public Works Committee,** to accept the low bid of Murtco in the amount of \$172,753.80. **Ms. Henley seconded the motion.** With no further discussion, Mayor Rushing called for the voice vote, which is unanimous in favor of the motion.

Mr. Allison further stated that Don Elias, City Administrator, provided a report on the various capital improvement projects in gas, sewer, water, and stormwater.

Mr. Allison stated the next Make a Difference Day is March 12, 2005.

Mr. Wells provided a report on the 49<sup>th</sup> Make a Difference Day as follows: 222 eyeglasses, 175 gallons of oil, 29 tons of paper, 57 inkjet cartridges, 1000 pounds of clothes, 835 pounds of aluminum cans, 35 cell phones, 1000 pounds of plastic, 919 pounds of tin cans, 2140 pounds of glass.

Mr. Hudspeth stated that he will be presenting to the appropriate committee the possibility of designating Martin Luther King's birthday as an official City holiday and also renaming a street after him.

With no further business to come before the council, the meeting adjourned at 7:00 p.m.

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H. Thomas Rushing, Mayor

Attest:

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Harla McClure  
City Clerk